

# Osprey View Fisheries Conservation Area Site Clean-up

Draft  
Environmental Assessment  
September 8, 2015



***Montana Fish,  
Wildlife & Parks***

# Osprey View Fisheries Conservation Area Site Clean-up

## Draft Environmental Assessment

### MEPA, NEPA, MCA 23-1-110 CHECKLIST

#### **PART I. PROPOSED ACTION DESCRIPTION**

1. **Type of proposed state action:** To remove debris, discarded lumber, and dilapidated buildings from an old home site on Osprey View Fisheries Conservation Area located on Flathead Lake near Bigfork, Montana.

2. **Agency authority for the proposed action:** Montana Fish, Wildlife & Parks

3. **Anticipated schedule:**

Estimated project commencement date: October 2015

Estimated completion date: February 29, 2016

4. **Location affected by proposed action (county, range and township):**

Flathead County, Montana, Osprey View Fisheries Conservation Area: T27N, R20W, Section 35, 70 acres

5. **Project size:** Approximately 70 acres as described above and shown in Attachment A and Attachment B

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>20</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>0</u>
(b) Open Space/	<u>10</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>15</u>	Rangeland	<u>0</u>
Areas		Other (Flathead Lake)	<u>45</u>

6. **Listing of any other local, state, or federal agency that has overlapping or additional jurisdiction:**

(a) **Permits:**

<u>Agency Name</u>	<u>Permits</u>
Flathead County	Floodplain permits
Army Corps of Engineers	Section 404 permits

(b) **Funding:** Funding for this project will come from the Montana Fish, Wildlife & Parks Region One Fisheries Mitigation Program.

<u>Agency Name</u>	<u>Funding Amount</u>
Montana Fish, Wildlife & Parks	\$5,000

**(c) Other overlapping or additional jurisdictional responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
None	

**7. Narrative summary:** Osprey View Fisheries Conservation Area Clean-up

Montana Fish, Wildlife & Parks (FWP) proposes to improve public safety and restore the floodplain to natural conditions at the Osprey View Fisheries Conservation Area (FCA) by removing one standing but dilapidated building, one collapsed building, an old pile of lumber, old household debris, and scattered foundational materials in the northwest corner of the property (see Attachments A and B, pp. 14 - 15). All of the remaining buildings and debris are from an old farmstead. FWP purchased the Osprey View Fisheries Conservation Area using Bonneville Power Administration fisheries mitigation dollars in 2009 to help protect water quality within Flathead Lake. In November 2012, a cultural survey was completed that determined there were no National Register of Historic Places (NRHP) eligible cultural resources on the property. The standing building and the collapsed building were determined by the cultural survey to have once been bunkhouses associated with a homestead and barn built in the 1930s that no longer exist on the property. Due to the lack of integrity of the remaining buildings, they are precluded from NRHP eligibility. FWP recognizes the uniqueness of the one remaining bunkhouse on the property, but does not have the funds to repair or maintain the building into the future. Since this structure is deteriorating and collapsing, FWP wishes to remove this building along with the collapsed building and other debris around the northwest corner of the property for public safety concerns.

**8. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:**

**Alternative A: No Action**

Under the No Action Alternative, FWP would not remove the building or any of the debris from the property. The northwest corner of the property would remain unsafe for the recreating public.

**Alternative B: Proposed Action**

Under the Proposed Action, FWP will put the property clean-up out to bid for removing the buildings, lumber, and other various debris. FWP would help to keep the cost of this clean-up low by allowing the contractor to salvage the remaining useable wood on the property in partial or full compensation for the clean-up.

**Alternative C: Modified Proposed Action** – Considered, but dismissed

Under this alternative, FWP would clean-up and remove debris and collapsed building, but we would retain the one building that remains standing. We would also secure that structure inside fencing, or by some other means, to insure public safety and prevent additional theft of remaining lumber.

This alternative was considered, but ultimately dismissed because FWP does not believe allowing the building to safely deteriorate over time would maintain the character of the property. If FWP left the standing structure in place, safety measures would have to be taken to keep people from entering the building, and the building's openings would all have to be boarded up and a fence constructed around the structure to discourage vandalism and entry. Since FWP does not have the funding to repair the structure or maintain it over time, the building would eventually collapse, so the ultimate outcome of both Alternative B (Proposed Action) and Alternative C (Modified Proposed Action) would be the same.

## **PART II. ENVIRONMENTAL REVIEW CHECKLIST**

### **1. Evaluation of the impacts of the Proposed Action and No-Action alternatives, including secondary and cumulative impacts on the Physical and Human Environment.**

#### **A. PHYSICAL ENVIRONMENT**

1. <u>LAND RESOURCES</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X			1b.
c. Destruction, covering, or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition, or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:						

1b. Under the Proposed Action, there will be minor impacts to topsoil during the removal and clean-up of the area. The entire clean-up area is only 1.3 acres, and the ground disturbance is expected to be minimal.

Under the No Action Alternative, there will be no impacts to land resources on the property.

2. <u>AIR</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13c.)			X			2a.
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns, or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		N/A				
f. Other:						

2a. Under the Proposed Action, there will be very minor impacts to air quality from any equipment emissions the contractor uses to remove the buildings and debris.

Under the No Action Alternative, there will be no impacts to air quality on the property.

3. <u>WATER</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Discharge into surface water or any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water-related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		N/A				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		N/A				
n. Other:						

Under the Proposed Action, there will be no impacts to surface or groundwater quantity or quality. If anything, removal of the old debris will only improve future water quality by removing any hazardous substances contained in the debris.

Under the No Action Alternative, any substances that do exist on the discarded debris and old wood will remain on the property and potentially soak into the groundwater or the wetlands on the property. The risk of this is probably low given the age of the debris and wood.

4. <b>VEGETATION</b>  Will the proposed action result in?	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity, or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		N/A				
g. Other:						

Under the Proposed Action, some flattening and minor removal of vegetation may occur. The clean-up area has no wetlands and is composed mainly of old pasture grasses, so impacts to desired vegetation will be minimal. Clean-up will occur in the fall/winter when all vegetation is dormant, reducing any impacts that might occur.

Under the No Action Alternative, no vegetation disturbance will occur on the property.

5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest, or other human activity)?		X				
h. <u>For P-R/D-J</u> , will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		N/A				
i. <u>For P-R/D-J</u> , will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		N/A				
j. Other:						

Neither the Proposed Action nor the No Action Alternative should have any impact to fish or wildlife resources on the property.



## B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?			X			6a.
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:						

6a. Under the Proposed Action, there may be minimal disturbances to the recreating public and neighboring landowners caused by the engine noise from any equipment used to remove the wood and debris.

Under the No Action Alternative, there will be no impacts to noise levels or electrical effects.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use, the presence of which would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other:						

Neither the Proposed Action nor the No Action Alternative should have any impacts to land use on the property or affect adjoining properties in any way.

<b>8. <u>RISK/HEALTH HAZARDS</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT</b>					
	<b>Unknown</b>	<b>None</b>	<b>Minor</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated</b>	<b>Comment Index</b>
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X			8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				8c.
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		N/A				
e. Other:						

8a. Under the Proposed Action, there is a minimal risk of an oil or gas spill from the use of equipment to remove the debris and old wood from the property. Only a licensed and insured contractor would be used for the clean-up and the risk of any spills or other hazards should be minimized.

8c. Under the No Action Alternative, if the debris and old buildings are not removed, a member of the public could potentially harm themselves by tripping on old debris or being hit by collapsing parts of the remaining standing portions of the old bunkhouses.

<b>9. <u>COMMUNITY IMPACT</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT</b>					
	<b>Unknown</b>	<b>None</b>	<b>Minor</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated</b>	<b>Comment Index</b>
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:						

Neither the Proposed Action nor the No Action Alternative should have any impacts to the economy or structure of the local community.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources		X				
f. Define projected maintenance costs.		X				
g. Other:						

Neither the Proposed Action nor the No Action Alternative should have any impacts on government services or taxes, or require any future maintenance.

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?			X			11b.
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)		X				
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails, or wilderness areas be impacted? (Also see 11a & 11c.)		N/A				
e. Other:						

11b. Under the Proposed Action, the aesthetic character of the remaining standing building will be lost from the property. Under the No Action Alternative, no changes will be made to the current character of the property, but the character would eventually be lost when the one remaining building collapses. In the meantime, the building would continue to be a public safety hazard due to a lack of funding for proper repair and future maintenance.

Neither the Proposed Action nor the No Action Alternative will create an aesthetically offensive site or alter recreational opportunities.

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure, or object of prehistoric, historic, or paleontological importance?			X			12a.
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12a.)		N/A				
e. Other:						

12a. The old bunkhouse is the only building to remain standing, to some degree, but loss of most of the key elements of integrity of this structure and the overall site precludes eligibility of this site to the National Register of Historic Places.

Neither the Proposed Action nor the No Action Alternative will impact any prehistoric or eligible historic cultural resources on the property.

## SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>  Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard, or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. <u>For P-R/D-J</u> , is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		N/A				
g. <u>For P-R/D-J</u> , list any federal or state permits required.		N/A				

Under the Proposed Action, no direct cumulative or secondary impacts are expected. FWP does not anticipate any substantial debate or controversy, but will definitely consider all public comment closely before making a final decision.

## 2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

This property currently limits public access from March 1 to July 15 consistent with the current closure on the neighboring federal Waterfowl Production Area. Any clean-up activities would need to occur between July 16 and the end of February.

## PART III. NARRATIVE EVALUATION AND COMMENT

This analysis did not reveal any significant impacts to the human or physical environment. No additional construction or improvements of any kind are included in this proposal.

## **PART IV. PUBLIC PARTICIPATION**

### **1. Public involvement for this project:**

The draft EA will be available on the FWP web site, at local libraries, and at Region One FWP headquarters. Copies of this EA will be available to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

### **Duration of comment period:**

This draft will be out for a 15 day public review through September 23, 2015.

Comments can be mailed to the address below:

Nancy Ivy  
Montana Fish, Wildlife & Parks  
490 North Meridian Road  
Kalispell, MT 59901

Or email: nivy@mt.gov

## **PART V. EA PREPARATION**

### **1. Based on the significance criteria evaluated in this EA, is an EIS required? No**

Based upon the above assessment, which has identified a limited number of minor impacts from the proposed action, an EIS is not required and an environmental assessment is the appropriate level of review.

### **2. Person responsible for preparing the EA:**

Kris Tempel, FWP Resource Specialist, Kalispell, Montana

### **3. List of agencies consulted during preparation of the EA:**

- Montana Fish, Wildlife & Parks
  - Parks Division
  - Wildlife Division
  - Fisheries Division
- Montana State Historic Preservation Office (SHPO)
  - Consulted for the Cultural Resources Survey conducted during the fall of 2012
- Flathead County Floodplain Administrator
  - Consulted and no floodplain permit needed
- Army Corps of Engineers
  - Consulted and no Section 404 permit needed

**Attachment A. Osprey View Fisheries Conservation Area with proposed clean-up site highlighted in orange.**





**Attachment B. Photos of area needing clean-up at Osprey View FCA.**



Discarded household items



Old privy



Old root cellar



Collapsed building



Inside of standing building



Inside of collapsed building